

**Middlesex Borough Planning Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
June 11, 2014**

1. Call to Order

Chairperson Andy Galida called the meeting to order at 7:31 p.m.

2. Open Public Meeting Act Statement

Chairperson Andy Galida read the Open Public Meeting Act Statement.

3. Call to Order

Upon voice count the following members were present- Al Lowande, Andy Galida, Jim Green, Robert Schueler, Ron DiMura, Patrick Corley, Mayor Dobies, Paul Woska.

Also present were Board Redevelopment Attorney Mr. Albert Cruz, Paul Ricci of Ricci Planning.

4. Minutes

Member Schueler made a motion to accept the May 14, 2014 meeting minutes, seconded by Member Lowande: Vote: Member Lowande- yes, Chairperson Galida- yes, Member Green -yes, Member Schueler- yes, Member DiMura- yes, Member Corley- yes, Member Dobies- abstain, Member Woska- yes. Motion passed.

Member Corley made a motion to accept the May 28, 2014 meeting minutes, seconded by Member Woska. Vote: Member Lowande -yes, Chairperson Galida- yes, Member Green- yes, Member Schueler- abstain, Member DiMura- abstain, Member Corley- yes, Member Dobies-abstain, Member Woska-yes. Motion passed.

5. New Business

**Presentation of Redevelopment Study and Preliminary Investigation Report
Lincoln Blvd- Phase I**

Public Hearing on Preliminary Investigation Report on Lincoln Blvd- Phase I

Mr. Albert Cruz stated the purpose of the meeting was to hear the presentation done by Mr. Ricci.

Mr. Cruz explained that the Borough Council had requested the Planning Board study Phase I area to see if it was in need of Non- Condemnation Redevelopment, that the Borough would not be using eminent domain on these properties.

Mr. Cruz explained that the Planning Board would recommend to the Borough Council if these properties of Phase I study meet any, all, or some of the criteria.

Mr. Cruz stated that the at the meeting tonight the only question is to make a recommendation that the Phase I study area meet the criteria or not.

Mr. Cruz explained that once this first step is done, the next step is to revise the Redevelopment Plan which is typically done by a town's council or planning board.

Mr. Cruz explained the multi step process regarding Redevelopment.

Mr. Cruz duly swore in Mr. Paul Ricci.

Mr. Ricci stated his qualifications and credentials to the Planning Board.

The Board accepted Mr. Ricci's qualifications.

Mr. Ricci stated that the area of the study, and stated that the first portion Phase I would be discussed tonight.

Mr. Ricci stated that since 2007 little or no Redevelopment has been done on Lincoln Blvd.

Mr. Ricci stated that the Phase I Area has 26.6 acres, 32 properties, 7 vacant parcels, 7 single family homes, 6 commercial parcels, and 11 industrial parcels.

Mr. Ricci stated that portions of the Phase I area lie within the "Gateway Focus Area" in the current Redevelopment Plan.

Mr. Ricci stated that if your property was in the Gateway Focus Area then you would have to follow the current Redevelopment plan and it would supersede the current zoning.

Mr. Ricci stated the criteria that he used for rating the properties

A. Deterioration

B. Abandonment

C.Public and Privately owned vacant land

D. Obsolete site plan

E. Stalled or under- utilization

F. Fire or natural disaster

G. urban enterprise zone

H. Consistent with smart growth principles

Mr. Ricci gave the definitions of A (Deterioration),B (Abandonment),C(Public/Private Owned) ,D(Obsolete site plan),H(consistent with smart growth principles).

Mr. Ricci started to give an overview of each Block and Lot and which criteria (A-H) which he had assigned to the property. (see attached report)

Mr. Ricci gave an overview of the H criterion analysis, explaining the State Planning Act, the SDRP (State Development and Redevelopment Plan),"smart growth" explaining the area has been targeted since 2005.

Mr. Ricci gave an overview of the Phase I Study stating that out of the 26.6 acres in this study all 32 properties have the H criteria, 14.1 acres meet additional criteria(1 property-A criteria, 1property-B criteria, 4 properties- C criteria, 2 properties-D criteria)

Mr. Cruz asked Mr. Ricci to explain how the H Criteria is important to the non-condemnation process.

Mr. Ricci explained why the H criteria is important.

Member DiMura clarified that the plan is not using eminent domain and referred to tax pilot programs using 150 Lincoln Blvd(future 4 story apartment complex) as an example.

Chairperson Galida opened the meeting to the public.

John Hoffman, 455 Lincoln Blvd, Block 295 Lot 34 questioned how the original redevelopment plan for 150 Lincoln Blvd went from mix use retail and residential to a 4 story residential apartment complex.

Susan Mota, 100 Lincoln Blvd, Block 129 Lot5 , questioned the contamination from 150 Lincoln Blvd site and how the drainage flows to the west of this property. Ms. Mota also

questioned rehabilitation vs. redevelopment and how would this affect renovations of a property.

Mr. Cruz explained the entire process from Planning Board Study of Phase I recommendation to the Borough Council, then the Council would have to revise the Redevelopment Plan, then individual properties could come before the Planning Board for site plan approval.

Mayor Dobies stated that there would be financial advantages and that no one is being forced into anything, this is completely voluntary.

John Ellery, 701 Lincoln Blvd., Block 285 Lot 1, questioned why this is being presented in stages and would it be two different plans.

Mr. Ricci stated that if the entire Lincoln Blvd had been presented then it would have 197 property owners and that it would be overwhelming presentation.

John Ellery, 701 Lincoln Blvd., Block 285 Lot1, questioned the time period and stated that there needs to be more flexibility from the Borough.

Bob Phillips, 123 Lincoln Blvd., Block 125 lot 5 questioned the emphasis on residential when the area has been light industrial, commercial and retail and that these business pay taxes. Mr. Phillips asked why the Borough doesn't build on the strength that they have with the industrial sections. Mr. Phillips was in favor of cleaning up buildings, sidewalk and tree improvements.

John Ellery, 701 Lincoln Blvd., questioned the zoning officials lack of flexibility.

Mr. Ricci stated that he does speak to the Zoning Officer regularly and that she does not have the flexibility to bend ordinances. Mr. Ricci explained that ordinance changes come from the Borough Council.

Member DiMura stated that it is her job to enforce the Ordinances and that the Governing Body has to change ordinances.

Chairperson Galida stated that tonight's hearing is the 1st step in the process.

Mayor Dobies stated that this is the process in order to get the changes that are needed.

Mr. Ricci commented that collectively the Businesses and the Governing Body would be involved in the creation of the new Redevelopment Plan.

John Hoffman, 455 Lincoln Blvd, thanked Mr. Phillips and the business owners. Mr. Hoffman referred to the Bound Brook apartments along Lincoln Blvd. Mr. Hoffman questioned how successful will the redevelopment be without the cooperation of the County.

John Adami, 133 Lincoln Blvd, Block 125 Lot 8, questioned the schedule of the new Redevelopment Plan would it be years?

Mayor Dobies stated that he would like to have the three Phases done this year and explained ratables and incentive pilot programs.

Yvonne Marcuse(Wilentz, Goldman and Spitzer law firm) 87 Lincoln Blvd. (Berry Plastics) Block 126 Lot 4.02 stated that she would be monitoring the process for her clients and hopes it provides benefits. Ms. Marques questioned the phases.

Mayor Dobies explained the three phase system and there would only be one redevelopment plan.

Harry Wallace, Block 349 Lot 3.01 stated that his house is next to the self storage area and was concerned with drainage and has been keeping up the property behind his.

Chairperson Galida closed the public portion of the meeting.

The Board started the discussion to make recommendation to the Council.

Mr. Cruz stated that the Board could recommend some, all or nothing to the Council.

Member Schueler stated that 50% of the properties met multiple criteria, felt that the Board had an obligation to do something.

Member DiMura stated that there had been no activity, this would be changing to redevelopment to allow more flexibility, tax pilot programs available and move forward with development.

Member Lowande agreed with moving forward.

Mayor Dobies agreed and was concerned over jobs and businesses.

Member Woska agreed and favored tax pilot programs.

Member DiMura made a motion to recommend to the Governing Body to designate Phase I as a non condemnation on all 32 parcels of land based on the evidence presented, seconded by Member Schueler. Vote: Member,Lowande- yes, Chairperson

Galida- yes, Member Green-yes, Member Schueler- yes, Member DiMura-yes, Member Corley- yes, Mayor Dobies-yes, Member Woska- yes. Motion passed.

Mr. Cruz stated that he had prepared a Resolution and suggested a 10 minute recess so Board Members could review what was prepared and Mr. Cruz could add the public comments.

Member Schueler made a motion to have a 10 minute recess to review the Resolution, seconded by Member DiMura. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member DiMura-yes, Member Corley-yes, Mayor Dobies-yes, Member Woska-yes. Motion passed.

After a 10 minute recess, roll call was taken with all members still present.

Mr. Cruz stated that on page 8 paragraph 5 he inserted into the Resolution the public comments from the evening and read these to the Board.

Member Lowande made a motion to adopt the Resolution with this ammendment,seconded by Member Schueler. Vote: Member Lowande- yes, Chairperson Galida-yes, Member Green- yes, Member Schueler-yes, Member DiMura-yes, Member Corley-yes, Mayor Dobies-yes, Member Woska-yes. Motion passed.

Mr. Cruz stated that this Resolution would be at the Council Meeting on June 12, 2014.

John Hoffman, 455 Lincoln Blvd, stated that entire Resolution should have been read for the public.

Chairperson Galida stated that the Board has done Resolutions both ways in the past.

There being no further business Member Schueler made a motion to adjourn the meeting at 9:40 pm, seconded by Member Lowande. Vote: All in favor. Meeting adjourned.

Secretary

Clerk